

MILLER WILL NOT TALK ABOUT BLAME FOR FIRE

Refuses to Say Who Is Responsible or Whether Escapes Were Adequate.

PROSECUTOR DRAWS BRIEFS

Responsibility for Failure to Provide Three Stairways Will Be Placed, if It Can Be Done.

Rudolph P. Miller, Superintendent of the Bureau of Buildings, returned to his office yesterday and began his investigation of the Washington Place fire. He had nothing to say about the responsibility for the loss of life, nothing to say on what would be done to prevent similar disasters in the future, nothing to say on the condition that existed in the Triangle waist factory, nothing to say on whether his bureau should have ordered changes and nothing to say on whether the means of escape were inadequate.

While Mr. Miller was thus silent the District Attorney's office was preparing briefs on the question that the building should have had three stairways instead of two, and that by the failure to provide three stairways there had been a continuing violation of the law.

According to a statement previously given out, the Bureau of Buildings in the final approval of the plans for the building waived the requirement for a third stairway in consideration of a fire escape being provided.

Section 25 of the Building Code says that there shall be two stairways for a factory building covering five thousand feet of lot area, and every such building shall have at least one continuous line of stairs for each five thousand feet of lot area covered, or part thereof, in excess of that required for five thousand feet of area.

No discretionary power is given to the Bureau of Buildings by this section.

Mr. Miller was found in Borough President McAvoy's office, where he had been having a long conference with the Borough President. He was extremely nervous and walked back and forth in front of Mr. McAvoy's desk as he conferred with his superior, and when he came to talk to the Tribune reporter his hands and his whole body were trembling and he had several times to leave his chair and pace up and down the room.

Before Mr. Miller began to talk Mr. McAvoy said: "I am out of it now. I have nothing more to say until I get the reports of the investigation. Mr. Miller will talk to you now."

It was on the question of responsibility for partitions blocking the way to the stairs and elevators that it was particularly hard to get a positive answer from Mr. Miller.

If there was a partition in front of the door to the stairs on the Greene street side of the eighth floor and the Washington Place door was locked, who was responsible? he was asked.

"I won't answer a hypothetical question," he replied.

"There is a sworn statement on file in your bureau, made by two witnesses whose testimony was taken by an officer of your bureau, saying that there was a partition in front of the Greene street stairs and that the Washington Place door was locked. Who was responsible?"

Refuses to Fix Responsibility.

"I don't answer that question."

"Was your bureau responsible?"

"I am afraid to express any opinion on that. That will come out in due time."

"Whose business was it to see to that partition?"

"I can't answer that question."

"Was it a violation of the law to have that partition in front of the Greene street door and the Washington Place door locked?"

"I don't know of any law against having a partition there."

"Section 165 of the Building Code says that no obstruction shall be placed before or upon any fire escape."

"Well, I don't know whether that was a fire escape or not."

Your bureau, according to Mr. Ludwig, who was Acting Superintendent in your absence, makes a practice of violating the requirement of outside fire escapes provided there are stairs located in fireproof towers. The code requires fire escapes and describes the buildings on which they shall be put. Did you consider the Greene street stairway a fire escape?"

"Nothing specifies them in the code. It tells what buildings are to be controlled by one bureau. Go read the code."

"Is this an example of the use of discretionary powers by the superintendent of the bureau as conferred by the code?"

"The Building Code is enforced by the Superintendent of Buildings."

No Law to Make Doors Swing Out.

"The doors opened inward. Was it the duty of your bureau to compel the doors to be hung so as to open outward?"

"I don't know of any law compelling the doors to open outward."

"Is there a law preventing locked doors in buildings of this class?"

"There is no law giving us jurisdiction."

"Do you consider that there was sufficient means of escape from fire in that building?"

"It may be and it may not, depending on the occupancy and the arrangements. Many other conditions must be considered in deciding good and sufficient means of escape. Mr. Flag says that you cannot lay down any specific rules."

"Were there good and sufficient means of escape when there was a partition in front of the Greene street door and the Washington Place door was locked?"

"I don't know," Mr. Miller replied.

"Was it the business of your bureau

WHAT ARE YOU GOING TO DO?

If there were seven thousand fire traps left in the city after last Saturday's disaster there are seven thousand to-day. No one had reason to suppose at 4:30 o'clock last Saturday afternoon that within an hour nearly 150 lives would be sacrificed. No one expects such a disaster to-day. Yet there is more reason to fear it to-day than there was then.

The fire in the Asch Building is over. If any person was guilty of negligence, if any official was derelict, if owner or tenant violated the law as to fire escapes or the locking of doors, the law provides for punishment. But punishment does not save lives. It cannot empty the graves that have been filled. It cannot prevent a new catastrophe. The prevention of another fire horror is the work this community must undertake.

Chief Croker warned New York after the Newark disaster. His warning was ignored. He has warned it again. Will this warning also be ignored?

WHAT ARE YOU GOING TO DO?**REPORTS THOUSAND KILLED**

Many Women and Children Die When Mexican Town Burns.

(By Telegram to The Tribune.) Nogales, Ariz., March 30.—One thousand rebels and federalists have been killed in a battle near Ures which has lasted since last Monday, according to a report a federal officer in Nogales, Sonora, is said to have made on receiving a dispatch from Hermosillo.

San Rafael, near Ures, was destroyed by fire, which started when a big flour mill was blown up with dynamite, and many women and children are said to have been among the victims of an engagement while the town was burning. The insurgents have 1,500 men at Ures, and these are being joined by many recruits from the surrounding country. The original federal force is said to have numbered 800 men, including 200 Yaquis under Chief Bulo.

The Mexican government is said to have impressed 300 men at Hermosillo and sent them to the front, in addition to impressing all carriages and wagons in the city to carry ammunition.

REVISION OF THE CALENDAR

Given Date Shall Always Fall on Same Day of Week.

(By Cable to The Tribune.)

London, March 30.—The government is taking immediate steps to ascertain the views of the commercial community of the United Kingdom on the question of revising the calendar so that a given date shall always fall on the same day of the week.

Inquiries will be set afoot by the Board of Trade, which is supported in the matter by the Foreign Office and by the Home Office. They are, in consequence of the invitation from the Swiss government, to take part in the international conference, and that invitation is the result of a proposal which was approved by the international congress of the chambers of commerce sitting in London.

DINED IN HAREM SKIRT

Mrs. W. E. Carter's Creation Stirs Philadelphia Society.

(By Telegram to The Tribune.)

Philadelphia, March 30.—Accompanied by her husband, Mrs. William E. Carter, of Bryn Mawr, dined at the Bellevue-Stratford to-night in a gown of the harem skirt variety, which she brought from abroad. She created a small sized sensation.

As she passed through the corridors Mrs. Carter was the cynosure of all eyes. The gown was of pale green and cream colored satin, and the blended colors were most becoming to the wearer, a pronounced blonde.

The creation was made with a loose breadth of skirt in front. From the waist fell a broad train of pale green satin, which was loose from the knees down. Between the train and the breadth of skirt could be caught a glimpse of buff hued hose. Mrs. Carter, who was Miss Lucile Polk, returned from a trip abroad only two weeks ago. She is well known in Philadelphia, New York and Newport.

CARBON COPY OF BALLOT

Indiana Vote Buyers Take No Chances, It Would Seem.

Indianapolis, Ind., March 30.—At a local election at Martinsville to-day Alva McElroy was detected by an election judge making a carbon copy of his ballot. After he was arrested he made an affidavit against Harry Mills, a former policeman, alleging that Mills had offered him \$5 if he would vote "wet" and make a carbon copy of his ballot to prove it. Mills was arrested.

The police said that in the pocket of a drunken man they had found a carbon copy of a "wet" ballot bearing a notation that the copy "was worth \$5." He was lodged in jail. Martinsville, the seat of Morgan County, voted "wet" to-day by 129 votes.

AN AMERICAN ARRESTED

Thought to Have Been Watched by a Mexican Spy.

Nogales, Ariz., March 30.—Abraham Saksley, a merchant of Nogales, was arrested by Mexican officials while on a business trip in Mexico yesterday, and taken under guard to Hermosillo.

It is presumed that a Mexican spy had recently overheard him talking about the Mexican revolution, and had listed him for arrest the first time he crossed the line. The American consul is investigating the case. Saksley is married and has several children.

GREAT BEAR SPRING WATER.

See page 5 of 5 for full advertisement.

MADERO'S NEW DEMANDS ON DIAZ

Mexican Insurgent Leader Seeking Official Recognition from the United States.

SUDDEN CHANGE OF FRONT

Diaz in Message to Congress Will Recommend Reforms, but Will Not Grant Impossible Conditions.

(From a Special Correspondent of The Tribune.)

Mexico City, March 30.—It became apparent to-day that an element of irritation has been introduced into the peace negotiations between the government and the Maderists by the development of a vacillating attitude on the part of Francisco I. Madero, which is construed here as a disposition to insist on unreasonable conditions not included in the proposals agreed to on his behalf.

It may positively be stated that Madero has authorized his representatives to lay aside Señor Limantour's tentative suggestions, which, if accepted by the government, Madero, through his spokesmen, bound himself to accept and offer submission to federal authority. The conditions first submitted included insistence on the resignation of President Diaz and half representation in the new cabinet. When these two proposals were flatly rejected and finally were withdrawn it was with the understanding on the part of the government that the modified terms were acceptable to Madero. That the old cabinet resigned as the first step in the general reform programme calculated to restore quiet was clearly understood, and also that no arbitrators from the United States or any other nation should be asked to mediate.

Madero's Change of Front.

Madero in the last two days seems to have executed an abrupt about face and has intimated that it would expedite matters and be more satisfactory to him if Diaz publicly declared his intention to resign immediately, that either Madero or men named by him be placed in the cabinet, and that the United States be invited to arbitrate.

Comprehended in the last proposal is Madero's keen and persistent desire to obtain recognition by the United States. It cannot be conceived that the United States would allow itself thus to be used as a means by which an official status would be given to Madero.

The Mexican government can be depended upon not to recede from its acquiescence in the definitely fixed terms of negotiations and to remain equally steadfast in refusing further concessions to Madero.

Information here is that Madero's desire to seek terms was accelerated by discontent among his followers and counselors, who, impatient at the lack of progress of the revolt and discouraged at the prospect of hostilities being prolonged indefinitely, urged him that the outcome, so far as the ultimate success of the revolution is concerned, was extremely doubtful, and if warfare continued, the prospects were that the Americans would take a hand, and intervention meant that the United States would sustain Diaz. Madero was threatened with the loss of leadership unless he made terms, providing the government would agree to the stipulated reforms.

Many messages have been exchanged to-day between the government and the representatives of Madero, and definite results are expected in a few days.

Diaz Takes Firm Stand.

President Diaz tells those in his confidence that if the Maderists fail to adhere to their agreement he will issue a proclamation recording himself as promising the concessions pledged last week to the rebels, calling the nation to witness that the administration has acted in good faith and a patriotic manner, and summoning volunteers to the colors. President Diaz is believed to be sincere in his desire for peace and reform, but will not bow to impossible and impracticable exactions.

The final preliminary draft of Diaz's message was completed to-day, extreme care being exercised to prevent the contents from becoming public before the message is read to the Senators and Deputies. No advance copies were furnished to the press. It is in Diaz's power merely to suggest reform legislation, leaving ratification to Congress. It is a foregone conclusion that what he recommends will be done.

Points of Diaz's Message.

The Tribune correspondent was informed to-night that the main points of the message include recommendations that a general amnesty be proclaimed for the benefit of the rebels if they lay down their arms within a certain period; that a new election law be enacted, in which a literacy qualification for voters; that commissions be appointed to revise the judicial processes and the tax laws and devise a plan for dividing large estates of fertile but untitled lands in many parts of the republic, thus rendering them available for purchase in small tracts by citizens.

Contrary to custom, no one will be admitted to the opening of the session of Congress without a ticket issued by the secretary of that body. President Diaz will read the message himself on the evening of April 1.

A curious feature of the situation is the apparent indifference of the residents of the capital to current momentary events. There is no excitement or seeming curiosity as to the outcome of the internal troubles.

It was rumored to-day, but with no substantial foundation, that the students who fomented an anti-American demonstration in November are planning still further hostilities against the government. They have given Henry Lane Wilson, the

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**LEST WE FORGET.**

The whole community is responsible for the safety of its workers.

WOMAN SHOT AS CROWD IN TRAIN LOOKS ON

Assassin Then Turns Pistol on Himself and Dies on New York Central Tracks.

HAD CAUSED HIS ARREST

Victim Complained to Police That Man Annoyed Her by Attentions, but He Was Discharged.

Passengers looking from the windows of an inbound train on the New York Central tracks at Park avenue and 118th street yesterday evening were startled at seeing a man pointing a revolver at a woman who was standing just beside the roadbed. Just as the train was opposite the couple the motorman threw on his emergency brakes and yelled to the man.

Although the train was brought to a full stop as quickly as possible, the man paid no attention to the cry of the motorman and took steady aim. Then he fired two shots at the woman, one bullet entering her head and the other her right breast. Without a cry she reeled and fell between the tracks and the stone wall to the right.

Bending over the body of the woman for a moment, the man placed the revolver against his left temple and pulled the trigger, sending a bullet into his brain and dying at once. He fell beside the woman's body.

Seated at the window of her flat, little Minnie Reisman, of No. 2550 Park avenue, saw the man and the woman on the street and was a witness of the shooting. She screamed and ran to her mother, who was in the kitchen. The woman told her husband, Louis D. Reisman, he ran to the tracks and found that the man was already dead, although the woman still showed signs of life.

Reisman ran to a telephone and called an ambulance from the Lincoln Hospital. The ambulance surgeon saw that the woman was desperately wounded and rushed her to the hospital, where it was said that she would probably die before morning.

The man's body was taken to the Alexander avenue station, where a search of his clothing brought to light a card of the carpenters' union. This card was made out to Jacob Shontz, of No. 307 East 26th street.

The man who did the shooting, according to a friend who said he had known him since they were schoolboys together, ran through a fortune of \$100,000 in a few years, and then changed his name in remorse. His real name, according to A. Springer, a carpenter, of No. 508 Brook avenue, the Bronx, was Jacob Stupnickitz. His father, said Springer, was Rudolph Stupnickitz, a wealthy lumberman of Austria.

The woman was identified last night as Mrs. Mary Chupickwitz, of No. 338 East 156th street. Her lawyer said Shontz had been annoying her by his attentions for several months, and that three weeks ago she had him arrested, but he was discharged.

A woman who said she was Anna Shontz and was the wife of the dead man called at the Alexander avenue station late last night. When she looked at the body she exclaimed: "That's my husband! That's my Johnny!" Then she fainted.

ENGLAND TAXES AMERICAN

M. R. Brown, Citizen of United States, Must Pay Income Levy.

London, March 30.—M. Bayard Brown, partner in the banking house of Brown, Shipley & Co., who lives in retirement on his yacht at Brighton, was today ordered by the courts to pay a \$50,000 income tax.

Brown claimed exemption from the operation of the law on the ground that his income came from the United States, but the court held that although he was an American citizen he was a resident of the United Kingdom.

FIRE VICTIM ROBBED?

Mother Says \$1,600 Sewing in Girl's Clothing Is Missing.

The aged mother of Annie Collett, of No. 410 East 121st street, who was burned to death at the Washington Place fire and whose body was later taken to the morgue, went to the coroner's office yesterday afternoon and asked for coroner Holtzhausen. When informed that he was absent she told George Le Brun, the property clerk, that the body of her daughter had just been returned to her for burial and that \$1,600, which she says was sewed in the skirt and waist of the victim at the time she was burned, was missing.

She says her daughter had been earning about \$18 a week for the last six years and that she had saved the last sum during that time. She asserted that it was known by many persons that she carried large sums of money about, sewed in her clothes, being afraid to trust her savings with modern financiers. She also declared that the seams of her clothes showed where they had been ripped open and then sewed up again.

GIRLS' DORMITORY RAIDED

Twelve Hundred Students Strike Until Culprits Are Expelled.

Spokane, Wash., March 30.—Instruction was suspended at the Washington State College to-day as the result of a strike of the 1,200 students. At a meeting last night it was decided that all the students would remain away from classes until those who took part in an attack on the girls' dormitory early on Tuesday were caught and expelled.

In the attack on the dormitory the beds of more than a dozen young women were overturned and the girls were then hauled around the floor in the bedding, some of them suffering slight injuries. Several young women are prostrated as a result of fright and rough handling and some have gone home.

More than fifty students have been called before the faculty for investigation. Evidence is said to be strong against a half a dozen who are prominent in athletics.

KERMIT IN THE CHORUS

Does Not Appear as Suffragette in Hasty Pudding Club's Play.

(By Telegram to The Tribune.) Cambridge, Mass., March 30.—Kermit Roosevelt, Harvard '12, son of ex-President Roosevelt, although billed in to-night's first public presentation of the Hasty Pudding Club's production of the "Crystal Gazer" in the character of Hilda Imogene Pratt, a suffragette, did not appear in the part, but confined his efforts as an actor to the feminine chorus.

Mr. Roosevelt was relieved of his speaking part last week after a rehearsal and sent to the chorus, while "Reggie" Foster, the crimson track star, was advanced to the part from the ranks. Neither Eugene R. Sanger, the stage manager, nor Kermit will discuss the change.

DOWLING URGED TO TAKE SENATORSHIP

Justice Refuses, but Leaders Won't Take No for Answer—Election Probable To-day.

GERARD OR STRAUS NEXT

Barnes Issues Letter Asking Republicans to Give Unanimous Support to Election of a Conservative Democrat.

(By Telegram to The Tribune.)

Albany, March 30.—Organization Democrats obeying the telephoned behests of "Boss" Murphy of Tammany and a group of insurgents who have broken away from the extreme councils of the insurgent leaders are working together to elect a United States Senator to-morrow. All signs to-night are that they are likely to accomplish it at last. Organization leaders say it is practically certain. And the insurgents will be glad enough to get out of the fight with some credit which is likely to come to them if the present plans go through.

Once to-night the regulars and enough of the insurgents to assure the election of a Senator had united on a man—Justice Victor J. Dowling. All plans were completed, and the happy Democrats proceeded to fraternize and celebrate the beginning of the end of the deadlock. Then up came word from Tammany Hall that Justice Dowling had declined to accept election, even though he realized he was refusing a great honor. The gloom which fell on the legislators could almost be cut with a knife. Earlier in the day it looked as if the troubles all were over. Another Supreme Court Justice, Edward E. McCall, was the "compromise candidate" at that time. Then the insurgents backed over the traces, demanded delay, protested at other details of the arrangements and finally smashed the slate altogether.

Great Pressure on Dowling.

Possibilities of failure to unite the warring elements on any other man though made Murphy and his men in New York refuse to accept Justice Dowling's decision as final. Leaders here got in touch with him and with the men in New York. Their entire night was spent in efforts to show him that he ought to accept the election in duty to his party and to himself, they offered the senatorship to him flatly, and pointed out that it would give him, a young man, an opportunity for brilliant service in Congress and after that a splendid place at the bar. At midnight they told friends here they hoped to succeed in changing his refusal into consent to have his name presented to the caucus to-morrow. That caucus, behind closed doors, officially will make the selection of a candidate from a list submitted by the members from the extreme insurgents.

If the efforts to command Justice Dowling fail, the indications are that practically the choice will be between two names. These are the names of Justice James W. Gerard and Isidor Straus. Developments in the caucus may make it necessary to select somebody else. Now the organization, meaning Tammany, having failed during the day to assure the election of some other "favorite son" is for one of them, and the insurgents aren't especially averse to either.

Process of Elimination.

As affairs stand to-night there is an understanding between the organization leaders, with the consent of Murphy, that the regulars and such of the insurgents as will enter the caucus to-morrow morning choose a candidate by a process of elimination. The subject matter for discussion will be a list of candidates evolved by the insurgents. It contains the names of Justice Gerard, Isidor Straus, D. Cady Herrick, Martin W. Littleton, Martin H. Glynn, Augustus Van Wyck, Herman Ridder, John D. Kernan, John N. Carlisle and Alton B. Parker. On the understanding that if any man other than one named in that list was supported by the "majority" they would be free to quit the caucus unpledged, some fifteen insurgents have told the Tammany men they would be on hand to do business.

It is believed that the following Democratic independents will caucus to-morrow with the organization men: Senators Saxe and White, Assemblymen McDaniels, Cosad, Trombly, Beach, Myers, Bruce, Terry, Kennedy, Hollmann, Huber, Friedman, Miller, Wheeler, Shortt, Evans and Day. The attitude of two or three of these is in some doubt.

It is probable that all the insurgents, even Senator Roosevelt, may enter the caucus at the last moment, though some of them were protesting vehemently to-night that they would not.

Of these candidates, the Tammany men have eliminated Littleton already. Glynn, Kernan and Carlisle may be discussed, but are not expected to find any favor with the "organization." Parker, Ridder and Van Wyck are among the possibilities, while Herrick to-night is rated as next in likelihood to Gerard and Straus. But it is to Gerard and Straus the organization men are planning their faith, if Dowling declines. Each is a man of large wealth and sufficient regularity to endorse him to Tammany Hall. Gerard has had considerable backing from the beginning. Straus has the influential Clan Sullivan, headed by "Big Tim" Vallentyne at work for him in the joint ballot, and his vote has been growing slowly since the beginning of the week.

Dix Holds Conference.

Powerful influences have been brought to bear to bring enough insurgents into line and to curb Murphy's ardor for "organization control" and "majority rule" sufficiently to make possible an election to-morrow. Governor Dix has held several conferences to-day with insurgent and organization leaders. Superintendent Treman of the Department of Public Works and Public Service Commission Huppuch, his appointees, have labored hard. The Governor devoted himself to-night to convincing Senator Roosevelt